

## Message Text

CONFIDENTIAL

PAGE 01 STATE 179709

20

ORIGIN IO-03

INFO OCT-01 EUR-06 ISO-00 /010 R

66610

DRAFTED BY: IO/TRC:CGRIP:CMC

9/17/73 EXT 27930

APPROVED BY: IO/TRC:MR GRIP

DISTRIBUTION: NONE INDICATED

----- 130870

R 182320Z SEP 73

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

C O N F I D E N T I A L STATE 179709

FOLLOWING REPEAT STATE 179709 ACTION ROME TEL AVIV  
MONTREAL PARIS MOSCOW USUN NEW YORK LONDON 10 SEP

QUOTE

C O N F I D E N T I A L STATE 179709

E.O. 11652: GDS

TAGS: ICAO, ETRN, IS

SUBJECT: ICAO: AIR SECURITY CONFERENCE: ISRAELI INITIATIVES

REFS:

FOR AMBASSADOR ROUNTREE

1. DEPARTMENT AGREES WITH ANALYSIS CONTAINED PARA 2 ROME  
9372, WHICH EVENTS FOLLOWING IMMEDIATELY UPON IMPROPER DIS-  
TRIBUTION OF ISRAELI LETTER (ROME 9381) QUICKLY DEMONSTRATED  
TO BE ACCURATE. AS STATE 179029 IMPLIED, WE WERE EXAMINING  
MEASURED APPROACH BY WHICH INCIDENT MIGHT HAVE BEEN INTRO-  
DUCED INTO CONFERENCE IN CONSTRUCTIVE WAY TO SERVE OBJECTIVE  
OF BALANCING CONSIDERATION OF STATE RESPONSIBILITIES WITH  
CONSIDERATION OF STATE ACTIONS. PROSPECTS FOR ACCOMPLISHING  
THIS HAVE PROBABLY NOW BEEN UNDERCUT BY CIRCULATION OF  
ISRAELI LETTER. WIDER PROBLEM PRECIPITATED BY ISRAELI  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 179709

CIRCULATION OF LETTER OF THIS STYLE IS THAT MIDDLE EAST

POLEMICS FINALLY TURNED OFF WEEK AGO WILL RESUME TO NO POSITIVE RESULT AND POSSIBLY TO DETRIMENT OF OBJECTIVES WE ARE SEEKING AT CONFERENCE.

2. IF AT SUBSEQUENT POINT WE BELIEVE APPROACH TO GOVERNMENT OF ITALY WOULD BE IN ORDER REGARDING ITS HANDLING OF AUGUST 5 INCIDENT WE WOULD WISH TO HAVE THIS DONE HERE OR BY EMBASSY ROME, AND NOT BY US DELEGATION BASICALLY FOR REASONS YOU CITE ROME 9365. WE HAVE NO GROUNDS FOR NOW THINKING

ITALY IS NOT COMPLYING FULLY WITH ITS OBLIGATIONS UNDER MONTREAL CONVENTION.

3. FYI. LEGISLATIVE HISTORY AND IMPLEMENTATION TO DATE OF REPORTING REQUIREMENT UNDER ARTICLE 13 OF MONTREAL CONVENTION LEAVES IT UNCLEAR HOW SOON OBLIGATION TO REPORT ARISES. SEVERAL STATES INDICATED THAT NATIONAL LAW OR LEGAL TRADITIONS WOULD PRECLUDE ANY DETAILED REPORTING UNTIL A CASE WAS FINALLY DECIDED. NO GENERAL REPORTING REQUIREMENTS UNDER ICAO HAVE YET BEEN ESTABLISHED WHICH CAN BE POINTED TO. METHOD OF REPORTING UP TO NOW HAS BEEN INFORMAL, EACH STATE DOING AS IT DEEMED SUITABLE TO MEET OBLIGATION. (WE HAVE FELT THAT MAJOR EFFORT ON REPORTING PUSHED BY USG MIGHT BE SEEN AS ELEMENT OF JOINT ACTION CONVENTION WORK AND PERHAPS REDUCE OPPORTUNITY TO ACHIEVE AT AN APPROPRIATE TIME EFFECTIVE REPORTING PROCEDURES.) SPECIAL EFFORT IN THIS CASE COULD BE SEEN AS POINTING UNFAIRLY AT ITALY, ONE OF OUR MOST HELPFUL ALLIES IN PUSHING FOR EFFECTIVE INTERNATIONAL ACTION ON AIR SECURITY PROBLEMS. IT OBVIOUSLY REMAINS FOR ICAO TO ADOPT RULES OF GENERAL APPLICATION IN THIS AREA, AND WE BELIEVE THAT MAKING AN ISSUE WITH ITALY ON ARTICLE 13 IN THIS CASE WOULD NEITHER BE JUST NOR SERVE OUR LONG-RANGE INTEREST IN PROMOTING EFFECTIVE REPORTING REQUIREMENTS. END FYI.

4. AS FOR REQUEST FROM ISRAELI AMBASSADOR NAJAR (RELAYED ROUNTREE-HERZ TELECON) FOR US VIEWS ABOUT DESIRABILITY OF REQUESTING ICAO EXTRAORDINARY COUNCIL SESSION ON ROME AIRPORT INCIDENT, OUR INITIAL ASSESSMENT IS THAT  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 179709

INITIATIVE WOULD FAIL ON ITS MERITS TO OBTAIN SUPPORT OF NECESSARY SIXTEEN-COUNCIL MEMBERS TO CONVENE MEETING. IF OBJECTIVE IS TO CONVENE EXTRAORDINARY SESSION IN ROME, RATHER THAN AT HEADQUARTERS, WE EXPECT PROCEDURAL OBSTACLES IN WAY OF DOING SO WOULD NOT BE SURMOUNTED. YOU SHOULD CONVEY FOREGOING TO NAJAR AND IMPRESS ON HIM THAT IN OUR VIEW ISRAELI INITIATIVE IN THIS DIRECTION, WEIGHED IN CONTEXT OF ROME MEETING, WOULD BE EXTREMELY

ILL-ADVISED.

5. YOU MAY AT YOUR DISCRETION CONVEY TO ISRAELI DELEGATION BACKGROUND CONTAINED PARA 3 ABOVE. IN ADDITION, YOU MAY MAKE THE POINT THAT OUR INABILITY TO BE MORE RESPONSIVE TO SPECIFIC ISRAELI REQUESTS FOR ACTION IN ICAO CONTEXT IN NO SENSE REFLECTS LACK OF CONCERN ABOUT THREAT OF SUCH EXTREME SORT OF TERRORIST ACTION. WE FULLY SHARE ISRAELI CONCERN AND AGREE EVERY EFFORT SHOULD BE MADE TO FIND WAYS OF DEALING WITH PROBLEM POSED BY MISSILES IN TERRORIST HANDS. OUR

DIFFERENCES ARE ONES OF TACTICS, BASED INTER ALIA ON CONSIDERATION THAT IT INAPPROPRIATE, AS WELL AS POLITICALLY UNFEASIBLE, TO INTERJECT THIS INCIDENT INTO ICAO CONTEXT IN MANNER ISRAELIS SEEM TO ENVISAGE.

6. GUIDANCE ON (A) STATE RESPONSIBILITY ISSUE AND (B) SOVIET PROPOSAL RE-DRAFT WILL FOLLOW SEPTTEL. RUSH UNQUOTE RUSH

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 SEP 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** willialc  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973STATE179709  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** IO/TRC:CGRIP:CMC  
**Enclosure:** n/a  
**Executive Order:** GS HERZ  
**Errors:** N/A  
**Film Number:** n/a  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19730944/aaaabgjp.tel  
**Line Count:** 135  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN IO  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** willialc  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 SEP 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20-Sep-2001 by rowellE0>; APPROVED <31-Oct-2001 by willialc>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ICAO: AIR SECURITY CONFERENCE: ISRAELI INITIATIVES  
**TAGS:** ETRN, IS, ICAO  
**To:** ROME MULTIPLE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005